

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KYUNG MIN KONG,

Defendant.

No. 2:19-cr-00050-TLN

UNITED STATES OF AMERICA,

Plaintiff,

v.

KI JANG, et al.,

Defendants.

No. 2:21-cr-00207-TLN

1 UNITED STATES OF AMERICA,
2
3 Plaintiff,
4 v.
5 JEFFREY KIM,
6 Defendant.

No. 2:18-cr-00109-DAD

RELATED CASE ORDER

7 Plaintiff filed a Notice of Related Cases on September 29, 2022. Examination of the
8 above-captioned actions reveals they are related within the meaning of Local Rule 123 (E.D. Cal.
9 1997). Pursuant to Rule 123 of the Local Rules of the United States District Court for the Eastern
10 District of California, actions are related when they involve the same parties and are based on the
11 same or similar claim(s); when they involve the same transaction, property, or event; or when
12 they “involve similar questions of fact and the same question of law and their assignment to the
13 same Judge . . . is likely to effect a substantial savings of judicial effort.” L.R. 123(a).

14 On June 7, 2018, an indictment was filed in 2:18-cr-109, charging Defendant Jeffrey Kim
15 with four counts of bank fraud in violation of 18 U.S.C. § 1344, one count of false use of a
16 passport in violation of 18 U.S.C. § 1543, one count of aggravated identity theft in violation of 18
17 U.S.C. § 1028A(a)(1), and one count of money laundering in violation of 18 U.S.C. §
18 1956(a)(1)(A)(i). Kim has pleaded guilty, but currently has no sentencing date as the case was
19 recently reassigned to Judge Drozd.

20 On March 14, 2019, an indictment was filed in 2:19-cr-50, charging Defendant Kyung
21 Min Kong with conspiracy in violation of 18 U.S.C. § 371, bank fraud in violation of 18 U.S.C. §
22 1344, one count of aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1), and one
23 count of money laundering in violation of 18 U.S.C. § 1956(a)(1)(A)(i). Kong pleaded guilty and
24 is scheduled to be sentenced.

25 On October 21, 2021, an indictment was filed in 2:21-cr-207, charging five additional
26 Defendants in the same scheme to defraud: all defendants are alleged to be participants in the
27 same nationwide scheme to extract cash from banks using fraudulent Republic of Korea passports
28 and a bust-out scheme centered on check kiting. One Defendant (Lee) has pleaded guilty in this

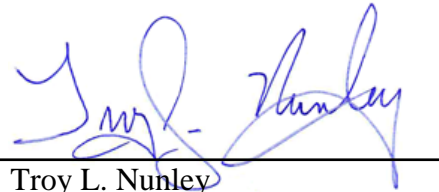
1 main indictment, and she is pending sentencing. Because these cases all involve similar facts and
2 the 2:18-cr-109 case was only recently reassigned to Judge Drozd, the Court concludes
3 assignment to the same judge would “effect a substantial savings of judicial effort.” L.R. 123(a),
4 *see also* L.R. 123(c).

5 Relating the cases under Local Rule 123, however, merely has the result that both actions
6 are assigned to the same judge, it does not consolidate the actions. Under the regular practice of
7 this Court, related cases are generally assigned to the judge and magistrate judge to whom the
8 first filed action was assigned. Should either party wish to consolidate the actions, the
9 appropriate motion or stipulation must be filed.

10 IT IS THEREFORE ORDERED that the action denominated 2:18-cr-109-DAD is
11 reassigned to District Judge Troy L. Nunley, and the caption shall read 2:18-cr-109-TLN. Any
12 dates currently set in 2:18-cr-109-DAD are hereby VACATED.

13 IT IS SO ORDERED.

14 **DATED: October 4, 2022**

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17 Troy L. Nunley
18 United States District Judge
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